

SHB 1304 - S AMD  
By Senator Carrell

ADOPTED 04/14/2005

1 On page 2, after line 17, insert the following:

2 "Sec. 3. RCW 16.52.117 and 1994 c 261 s 11 are each amended to  
3 read as follows:

4 (1) (~~Any~~) A person (who does any of the following is guilty of  
5 a gross misdemeanor punishable by imprisonment not to exceed one year,  
6 or by a fine not to exceed five thousand dollars, or by both fine and  
7 imprisonment)) commits the crime of animal fighting if the person  
8 knowingly does any of the following:

9 (a) Owens, possesses, keeps, (~~or~~) breeds, trains, buys, sells, or  
10 advertises or offers for sale any animal with the intent that the  
11 animal shall be engaged in an exhibition of fighting with another  
12 animal;

13 (b) (~~For amusement or gain causes any animal to fight with another~~  
14 ~~animal, or causes any animals to injure each other; or~~

15 ~~(c) Permits any act in violation of (a) or (b) of this subsection~~  
16 ~~to be done on any premises under his or her charge or control, or~~  
17 ~~promotes or aids or abets any such act.)) Promotes, organizes,  
18 conducts, participates in, advertises, or performs any service in the  
19 furtherance of an exhibition of animal fighting, transports spectators  
20 to an animal fight, or provides or serves as a stakeholder for any  
21 money wagered on an animal fight;~~

22 (c) Keeps or uses any place for the purpose of animal fighting, or  
23 manages or accepts payment of admission to any place kept or used for  
24 the purpose of animal fighting;

25 (d) Suffers or permits any place over which the person has  
26 possession or control to be occupied, kept, or used for the purpose of  
27 an exhibition of animal fighting; or

28 (e) Takes, leads away, possesses, confines, sells, transfers, or  
29 receives a stray animal or a pet animal, with the intent to deprive the

1 owner of the pet animal, and with the intent of using the stray animal  
2 or pet animal for animal fighting, or for training or baiting for the  
3 purpose of animal fighting.

4 ~~(2) ((Any person who is knowingly present, as a spectator, at any~~  
5 ~~place or building where preparations are being made for an exhibition~~  
6 ~~of the fighting of animals, with the intent to be present at such~~  
7 ~~preparations, or is knowingly present at such exhibition or at any~~  
8 ~~other fighting or injuring as described in subsection (1)(b) of this~~  
9 ~~section, with the intent to be present at such exhibition, fighting, or~~  
10 ~~injuring, is guilty of a misdemeanor.))~~ A person who violates this  
11 section is guilty of a class C felony punishable under RCW 9A.20.021.

12 (3) Nothing in this section ((may)) prohibits the following:

13 (a) The use of dogs in the management of livestock, as defined by  
14 chapter 16.57 RCW, by the owner of the livestock or the owner's  
15 employees or agents or other persons in lawful custody of the  
16 livestock;

17 (b) The use of dogs in hunting as permitted by law; or

18 (c) The training of animals or the use of equipment in the training  
19 of animals for any purpose not prohibited by law.

20 (4) For the purposes of this section, "animal" means dogs or male  
21 chickens."

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22 On page 1, beginning on line 1 of the title, after "16.52.205"  
23 strike "and 16.52.207" and insert ", 16.52.207, and 16.52.117"

EFFECT: Raises the crime of animal fighting from a gross  
misdemeanor to a class C felony and expands the crime to include a  
person who knowingly:

Breeds, buys, sells, advertises, or offers for sale any animal with the intent that the animal will be used for fighting;

Participates in, advertises, or performs any service in the furtherance of an animal fight;

Transports spectators to an animal fight or accepts payment for admission to an animal fight;

Keeps or uses a place for animal fighting or allows a place to be used for animal fighting;

Serves as a stakeholder for any money wagered on an animal fight; and

Takes or receives a stray or pet animal with the intent of using the stray animal or pet animal for animal fighting or for training or baiting for animal fighting.

Removes the specific provision making it a crime to be a spectator at an animal fight (participation in an animal fight remains a criminal offense).

Defines "animal" to mean dogs or male chickens.

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